



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/779,857	02/17/2004	Russell S. Brayton	11009-23

CONFIRMATION NO. 6241

30565
 WOODARD, EMHARDT, MORIARTY, MCNETT & HENRY LLP
 BANK ONE CENTER/TOWER
 111 MONUMENT CIRCLE, SUITE 3700
 INDIANAPOLIS, IN 46204-5137

FORMALITIES LETTER



OC000000012593564

Date Mailed: 05/11/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

11/15/2004 WABDELRI 00000034 10779857

FILED UNDER 37 CFR 1.53(b)

01 FC:1001 790.00 OP
 02 FC:1051 130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings must be made on paper that has a white background (see 37 CFR 1.84 (e)). For example, drawings on graph paper, lined paper, or paper that has a non-white background are not acceptable. See Figure(s) 1.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$900** for a Large Entity

- **\$770** Statutory basic filing fee.

- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

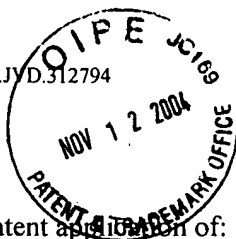
*A copy of this notice **MUST** be returned with the reply.*

Millon

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT OFFICE

In re patent application of:

Russell S. Brayton et al.

Application No: 10/779,857

Filing Date: February 17, 2004

LIGHTWEIGHT DIMENSIONALLY
STABLE STEEL RULE DIE

Before the Examiner

Group Art Unit 3724

November 9, 2004

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated May 12, 2004, the Commissioner is authorized to charge the fee of \$2450 to the credit card as indicated on the enclosed Credit Card Payment Form which includes \$790 for the large entity filing fee, \$130 for the late filing fee surcharge as required under 37 C.F.R. 1.27, and \$1530 for the Request for Extension of Time. Also enclosed are replacement drawing sheets in accordance with 37 CFR 1.84 and 37 CFR 1.121 and a copy of formalities letter OC000000012593564. No other fees are believed to be due; however, please charge any additional fees deemed required to Deposit Account No. 23-3030, but not to include any payment of issue fees.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to MS MISSING PARTS, Commissioner for Patents, P.O. Box 14560, Alexandria, VA 22313-1450 on November 9, 2004.

JOHN V. DANILUCK

Signature

9 Nov 2004

Date of Signature

Respectfully submitted

By:

John V. Daniluck, Reg. No. 40,581

Woodard, Emhardt, Moriarty, McNett & Henry LLP

Bank One Center/Tower

111 Monument Circle, Suite 3700

Indianapolis, Indiana 46204-5137

(317) 634-3456 (telephone)

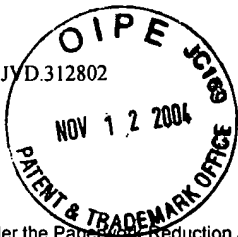
(317) 637-7561 (facsimile)

RESPONSE TO MISSING PARTS

Serial No. 10/779,857

Attorney Docket: 11009-23

Page 1 of 1



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/779,857
	Filing Date	February 17, 2004
	First Named Inventor	Russell S. Brayton et al.
	Art Unit	3724
	Examiner Name	
Total Number of Pages in This Submission	11	Attorney Docket Number 11009-23

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Credit Card Payment Form <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) <input type="text"/>	<input type="checkbox"/> After Allowance communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input checked="" type="checkbox"/> Return Postcard <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Formalities Letter
Remarks <input style="width: 500px;" type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or individual name	John V. Daniluck Woodard, Emhardt, Moriarty, McNett & Henry LLP
Signature	<i>John V. Daniluck</i>
Date	9 NOV 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below			
Typed or printed name	John V. Daniluck		
Signature	<i>John V. Daniluck</i>	Date	9 NOV 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FEE TRANSMITTAL FOR FY 2005

Effective 19/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27Total Amount of Payment (\$)**2450**

Examiner Name

Attorney Docket Number

Complete if Known

Application Number

10/779,857

Filing Date

February 17, 2004

First Named Inventor

Russell S. Brayton et al.

Group Art Unit

3724

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money ☐ Other ☐ None
Order☐ Deposit Account:Deposit
Account
Number**23-3030**Deposit
Account
Name**Woodard, Emhardt, Moriarty,
McNett & Henry LLP**

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) during the pendency of this application,
excluding the payment of issue fees

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	790	2001	395	Utility Filing Fee	790
1002	350	2002	175	Design Filing Fee	
1003	550	2003	275	Plant Filing Fee	
1004	790	2004	395	Reissue Filing Fee	
1005	160	2005	80	Provisional Filing Fee	
SUBTOTAL (1)					(\$)790

2. EXTRA CLAIM FEES

			Extra Claims		Fee From Below		Fee Paid
Total Claims	20	-20** =	0	X		=	0
Independent Claims	3	-3** =	0	X		=	0
Multiple Dependent						=	

(Four new claims to make a total of 23)

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	130
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner's Action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner's Action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	1530
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,370	2453	685	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Petitions related to provisional applications	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other Fee (specify)

* Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$)**1660**

SUBMITTED BY:

Complete (if applicable)

Name (Print/Type):

John V. DaniluckRegistration No.:
(Attorney/Agent)**40,581**

Telephone:

(317) 634-3456

Signature:

Date:

9 NOV 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Name (Print/Type)

John V. Daniluck

Signature

Date

9 NOV 2004